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EXAMINER
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ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/050,284	THOMAS, JOHN H.
	Examiner	**Art Unit**
	Simon Sing	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-40_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-40_ is/are rejected.

7) ☒ Claim(s) _1 and 5_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _16 January 2002_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: ____ .

DETAILED ACTION

Drawings

1.   The drawings are objected to because of the following minor informality:

The telephone number in figure 3, column 4 [sender field 308], row 2 [message

ID 1] listed as (124) 456-7890, whereas in the specification, page 18, lines 10-12, the

same telephone number is listed as (123) 456-7890.

A proposed drawing correction or corrected drawings are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings

will not be held in abeyance.

Claim Objections

2.1   Claim 1 recites the limitation "the databases" in line 5. There is insufficient

antecedent basis for this limitation in the claim.

Appropriate correction is required.

2.2   Claim 5 recites the limitation "the signal" in line 1. There is insufficient

antecedent basis for this limitation in the claim.

Appropriate correction is required.

2.3   Claim 20 recites the limitation "the person" in line 8. There is insufficient

antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-6, 8-13, 17, 22-34, 37, 38 and 40 are rejected under 35 U.S.C. 102(b)

as being anticipated by Bobo II US 5,870,549.

3.1   Regarding claim 1, Bobo discloses a method for storing, delivering and managing

messages in figure 1. Bobo teaches:

a computer based Message Store and Delivery System (MSDS) 10 connected to

a public switched telephone network [central office 20] (column 7, lines 28-35) for

storing and delivering multimedia messages to/from telephone 26 (column 7, lines 62-

67; column 8, lines 1-4);

grouping multiple messages having a common trait [type] into message lists,

such as fax list and voice list (column 9, lines 7-16; column 14, lines 20-21);

receiving a command from the telephone 26 over the public switched telephone

network to administer the multiple messages having the common trait (column 15, lines

42-65);

administering the multiple messages having the common trait in the MSDS 10 in response to the command (column 15, lines 59-62; column 16, lines 4-11, 39-46).

3.2   Regarding claim 2, Bobo teaches deleting the multiple messages from the MSDS 10 (column 13, lines 3-11; column 16, lines 4-11, 39-46).

3.3   Regarding claim 3, Bobo teaches that a message has a "delete' anchor (column 13, lines 3-9) and such an anchor may be related to a message list (column 13, lines 9-11).

3.4   Regarding claim 4, Bobo teaches filing voice messages into a voice list [folder] (column 14, lines 17-24).

3.5   Regarding claim 5, Bobo teaches that the command is a touch-tone DTMF signal (column 15, lines 52-62).

3.6   Regarding claim 6, Bobo teaches that the MSDS 10 includes an automatic call distribution system (column 7, lines 15-27).

3.7   Regarding claim 8, Bobo teaches that messages stored in the MSDS 10 include voice mail (column 9, lines 7-16).

3.8   Regarding claim 9, Bobo teaches that messages stored in the MSDS 10 include

e-mail (column 23, 19-22).

3.9   Regarding claim 10, Bobo teaches that messages stored in the MSDS 10 include

fax messages (column 23, 19-22).

3.10   Regarding claim 11, Bobo teaches that messages stored in the MSDS 10 include

voice mail messages, fax messages (column 23, 19-22) and pager messages (column

27, lines 19-27).

3.11   Regarding claim 12, Bobo teaches playing data messages, fax messages and

voice messages through a telephone 26 to a user (column 15, 42-65).

3.12   Regarding claim 13, Bobo teaches grouping messages according to their type

(column 9, lines 7-16).

3.13   Regarding claim 17, Bobo teaches identifying message type when a message is

received (column 14, lines 17-20).

3.14   Regarding claim 22, Bobo teaches sending a voice menu list of command

options to the telephone (column 15, lines 52-62).

3.15   Regarding claim 23, Bobo teaches storing new messages in a message list (column 14, lines 4-20).

3.16   Regarding claim 24, Bobo teaches that the MSDS 10 includes an E-mail server (column 23, lines 19-22).

3.17   Regarding claims 25 and 28, Bobo discloses a system for storing, delivering and managing messages in figure 1, comprising:

means [Message Store and Delivery System (MSDS) 10] for storing and delivering multimedia messages (column 7, lines 62-67; column 8, lines 1-4);

means for grouping multiple messages having a common trait [type] into message lists, such as fax list and voice list (column 9,lines 7-16; column 14, lines 20-21);

means for receiving a command from the telephone 26 over the public switched telephone network to administer the multiple messages having the common trait (column 15, lines 42-62);

means for administering the multiple messages having the common trait in the MSDS 10 in response to the command (column 15, lines 59-62; column 16, lines 39-46).

3.18   Regarding claims 26 and 29, Bobo teaches deleting the multiple messages from the MSDS 10 (column 13, lines 3-11; column 14, lines 39-46).

3.19   Regarding claims 27 and 30, Bobo teaches filing voice messages into a voice list

[folder] (column 14, lines 17-24).

3.20   Regarding claim 31, Bobo discloses a system (MSDS 10) for storing, delivering

and managing messages in figures 1 and 13, comprising:

        a database 11 for storing and delivering multimedia messages (column 7, lines

62-67; column 8, lines 1-4; column 16, lines 57-59);

        a processor 3 coupled to said database and responsive to an input over a public

switched telephone network forma a telephone 26 (figure 1; column 17, lines 25-28),

said input corresponding to administer the multiple messages in the database (column

15, lines 42-62), and said processor being operative to administer the multiple

messages(column 15, lines 59-62; column 16, lines 39-46).

3.21   Regarding claim 32, Bobo teaches that the database is incorporated into an

automatic call distribution system (column 7, lines 15-27; column 16, lines 57-59).

3.22   Regarding claim 33, Bobo teaches that messages stored in the MSDS 10 include

voice mail (column 9, lines 7-16).

3.23   Regarding claim 34, Bobo teaches that messages stored in the MSDS 10 include

e-mail (column 23, 19-22).

3.24   Regarding claim 37, Bobo teaches identifying message type when a message is received (column 14, lines 17-20).

3.25   Regarding claim 38, Bobo teaches deleting the multiple messages from the MSDS 10 (column 13, lines 3-11; column 16, lines 39-46).

3.26   Regarding claim 40, Bobo teaches that MSDS 10 includes an e-mail server (column 23, 19-22).

4.   Claims 1, 7, 15, 16, 19-21, 25, 28, 31, 33, 35 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Carleton et al. US 6,069,940.

4.1   Regarding claim 1, Carleton discloses method for adding a subject line to a voice mail messages. Carleton teaches:

operating a voice message server 103 [computer] configured to stored messages in a database 109 (figure 1; column 3, lines 57-62), the voice message server being operatively coupled to a telephone device 112C through a public switched telephone network 100 (figure 1; column 6, lines 11-19);

receiving a command from the telephone over the public switched telephone network to administer multiple messages stored in the database having a common trait

[subject] (column 4, lines 24-31; column 8, lines 62-67; column 9, lines 1-11, 23-25);

and

administering the multiple messages having the common trait in the database

(column 9, lines 23-25).

4.2   Regarding claim 14, Carleton teaches that the common trait includes a common

subject for the multiple messages as discussed in claim 1.

4.3   Regarding claim 15, Carleton further teaches that the common trait includes a

common sender for the multiple messages (column 5, lines 46-49; figure 6A, step 612,

storing messages in caller folders).

4.4   Regarding claim 16, it is inherent that voice message has a header which

includes a caller's telephone number.

4.5   Regarding claim 19, Carleton teaches that the common trait includes a common

word for the multiple messages (column 5, lines 40-45).

4.6   Regarding claim 20, Carleton teaches:

receiving DTMF signals corresponding to a subject line (column 5, 13-15);

generating an index of messages containing the subject line [words] in the

database (column 11, lines 3-5);

sending the index of messages containing the subject line [words] to the telephone (column 5, lines 28-31); and

wherein the command "budget" corresponds to a selection from an indexed subject list (column 5, lines 40-45).

4.7   Regarding claim 21, Carleton teaches notifying a user when all messages having a common trait [subject] are played (column 5, lines 40-49).

4.8   Regarding claims 25 and 28, Carleton discloses an apparatus for adding a subject line to voice mail messages in figures 1 and 2, comprising:

means [storage 109] for storing messages (column 3, lines 57-62);

means [voice recognition unit 105] for receiving a command from the telephone over the public switched telephone network to administer multiple messages stored in the database having a common trait [subject] (column 9, lines 1-11, 23-25); and

mean for playing [administering] the multiple messages having the common trait to a user (column 9, lines 23-25).

4.9   Regarding claim 31, Carleton discloses an apparatus for adding a subject line to voice mail messages in figures 1 and 2, comprising:

a database [storage 109] for storing messages (column 3, lines 57-62);

a processor [control unit 107] coupled to the database and responsive for an input command over the public switched telephone network from a telephone 112C to

administer multiple messages stored in the database (column 6, lines 11-19), and said

processor administers the multiple messages from the database (column 9, lines 23-

25).

4.10   Regarding claim 35, Carleton teaches storing messages by subject or sender

[caller], and messages in a caller's folder are played to a user (figure 6A, step 612;

column 5, lines 53-55; column 9, lines 23-25).

4.11   Regarding claim 36, Carleton teaches grouping and storing messages by subject

and playing a group of messages to a user (column 3, lines 63-67; column 8, lines 62-

67; column 9, lines 1-11, 23-25; column 5, lines 40-45).

4.12   Regarding claim 39, Carlton teaches filing messages in a folder by a common

subject (column 5, lines 40-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carleton

et al. US 6,069,940 in view of Tatchell et al US 5,905,774.

Carleton teaches receiving a command from a telephone, but fails to teach that

the telephone is a wireless phone.

However, Tatchell discloses a method of accessing and operating a voice mail

system. Tatchell teaches taking a command from a user to play voice messages having

a common trait [new entry, old entry, most recent, caller] (column 16, lines 36-38;

column 14, lines 48-52). Tatchell also teaches using wired or mobile [wireless] phones

to access the voice message system (column 14, lines 2-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the Carleton's reference with the teaching of

Tatchesll so that the telephone would have been a wireless phone, because such a

modification would have enabled a user to user any commercially available telephone to

retrieve voice messages.

6.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo II

US 5,870,549 in view of Scannell et al. US 5,377,354.

Bobo teaches grouping and playing voice messages having a common type, but

fails to teach grouping and playing voice messages based on a combination of subject,

sender [caller] and data/time fields.

However, Scannell discloses a method for sorting e-mail in figures 1 and 2.

Scannell teaches filing messages in folders (column 7, lines 1-4) according to a set of

user-defined rules (column 3, lines 33-44; column 5, lines 26-31; column 7, lines 38-67).

Scannel teaches that the rules include a subject field (column 5, lines 54-56), sender

field (column 5, lines 32-34), and date/time field (column 5, lines 40-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the Bobo's reference with the teaching of

Scannell so that messages would have been sorted according to a set of rules, because

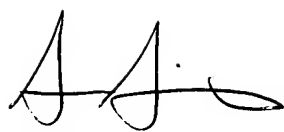such a modification would have enabled a used to sort messages into sub-categories.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a)   Yamakita US 6,148,287 discloses a voice data transmission/storage

system able to retrieve/delete messages based on a keyword.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Simon Sing whose telephone number is (703) 305-3221.

The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-4750.

ALLAN HOOSAIN
PRIMARY EXAMINER

S.S.

04/28/2003